IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

WEDNESDAY, THE 24TH OCTOBER 2007 / 2ND KARTHIKA 1929

WP(C).No. 27642 of 2007(N)

PETITIONER:

SETHU.K., S/O.K.KESAVAN,
AMBALAPARAMBIL HOUSE, ELAPPOOPARA P.O.,
VALLIKKODE KOTTAYAM, PATHANAMTHITTA DISTRICT.

BY ADV. SRI.MVS.NAMBOOTHIRY
SRI.R.VINOD

RESPONDENTS:

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1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
DEPARTMENT OF TRANSPORT, SECRETARIAT,
TRIVANDRUM.

2. KERALA PUBLIC SERVICE COMMISSION,
REPRESENTED BY ITS SECRETARY,
PUBLIC SERVICE COMMISSION OFFICE, PATTOM,
TRIVANDRUM.

3. KERALA STATE ROAD TRANSPORT CORPORATION,
REPRESENTED BY ITS MANAGING DIRECTOR,
TRANSPORT BHAVAN, NANDANCODE, TRIVANDRUM.

R1 BY GOVT.PLEADER SMT.ANU SIVARAMAN.
R2 BY ADV. SRI.ALEXANDER THOMAS,SC,KPSC
R3 BY ADV.SRI.K.PRABHAKAN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 24/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B. RADHAKRISHNAN, J.

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WP(C).No.27642 of 2007-N

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Dated this the 24th day of October, 2007.

JUDGMENT

1. The learned standing counsel for the Public Service Commission submits on the basis of a short counter affidavit, which is stated to have been filed, that the petitioner has been provisionally included and assigned rank No.6882 in the list published on 14-6-2007 and he has been included provisionally as the validity of driving licence on the date of application was not clarified. It is also submitted that after detailed scrutiny, the application of the petitioner was admitted on an absolute basis and the process of preparing modified ranked list is underway.

2. It is also the contention of the petitioner that his due

entitlement in terms of the reservation rules should also be taken into consideration while preparing the modified ranked list, as stated in the short counter affidavit filed on behalf of the second respondent.

3. Under the aforesaid circumstances, this writ petition is disposed of recording the submissions on behalf of the second respondent in the short counter affidavit and also further directing that the due turn of the petitioner in terms of any reservation rules as may be applicable to him has to be determined and appropriate action taken in that regard in accordance with law.

THOTTATHIL B. RADHAKRISHNAN,
JUDGE.

Sha/